

IAP6 Rec'd PCT/PTO 27 MAR 2007

PTO/SB/21 (12-97)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/583,912
Filing Date	with an effective filing date of December 22, 2004
First Named Inventor	Jean-Claude HEITZLER, Christian MULLER and Jean-Louis DUPIN
Group Art Unit	
Examiner Name	
	Fax: (571) 273-8300
Total No. of Pages in this Submission: 8	Attorney Docket Number NITROF P66AUS

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (in Duplicate) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Notification of Missing Requirements <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition (DELETED - no longer useful) <input type="checkbox"/> To Convert a Provisional Petition <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Postcard Decl. & Power of Attorney - 3 pg. Copy of Notice of Missing Req.-2pgs.
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REMARKS

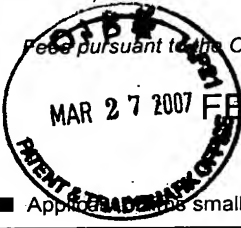
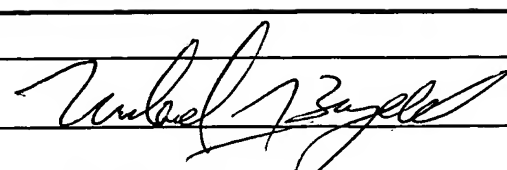
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Michael J. Bujold DAVIS BUJOLD & DANIELS, P.L.L.C.	Reg. No. 32,018 CUSTOMER NO. 020210
Signature		
Date	March 22, 2007	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on March 22, 2007.

Type or printed name	Michael J. Bujold
Signature	Date: March 22, 2007 (nay)

<div style="float: left; text-align: center;"><p><b>Effective on 12/08/2004.</b> Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p><p><b>FEE TRANSMITTAL</b> <b>For FY 2006</b></p><p>■ Applicant is a small entity status. See 37 CFR 1.27</p></div> <div style="float: right; text-align: right;"><b>Complete if Known</b></div> <div style="clear: both;"></div> <table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:50%; vertical-align: top;">Application No. Filing Date First Named Inventor Examiner Name Art Unit</td><td style="width:50%; vertical-align: top;">10/583,912 with an effective filing date of December 22, 2004 Jean-Claude HEITZLER, Christian MULLER and Jean- Louis DUPIN</td></tr><tr><td style="vertical-align: top;">Attorney Docket No.</td><td style="vertical-align: top;">NITROF P66AUS</td></tr></table>		Application No. Filing Date First Named Inventor Examiner Name Art Unit	10/583,912 with an effective filing date of December 22, 2004 Jean-Claude HEITZLER, Christian MULLER and Jean- Louis DUPIN	Attorney Docket No.	NITROF P66AUS																																																																																																																																							
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<p>■ Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____</p> <p>■ Deposit Account      Deposit Account Number <u>04-0213</u>      Deposit Account Name: <u>DAVIS &amp; BUJOLD, P.L.L.C</u></p> <p>For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)</p> <p><input type="checkbox"/> Charge fee(s) indicated below      <input type="checkbox"/> Charge fee(s) indicated below except for the filing fee</p> <p>■ Charge any additional fee(s) or underpayments of fee(s)      ■ Credit any overpayments under 37 CFR 1.16 and 1.17</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on the this form. Provide credit card information and authorization on PTO-2038.</p>																																																																																																																																												
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BASIC FILING, SEARCH, AND EXAMINATION FEES</td><td colspan="2" style="text-align: center;">FILING FEES</td><td colspan="2" style="text-align: center;">SEARCH FEES</td><td colspan="2" style="text-align: center;">EXAMINATION FEES</td><td rowspan="2" style="vertical-align: bottom; text-align: center;">Fees Paid (\$)</td></tr><tr><td style="text-align: center;">Application Type</td><td style="text-align: center;">Fee (\$)</td><td style="text-align: center;">Small Entity Fee (\$)</td><td style="text-align: center;">Fee (\$)</td><td style="text-align: center;">Small Entity Fee (\$)</td><td style="text-align: center;">Fee (\$)</td><td style="text-align: center;">Small Entity Fee (\$)</td></tr><tr><td></td><td>Utility</td><td style="text-align: right;">300</td><td style="text-align: right;">150</td><td style="text-align: right;">500</td><td style="text-align: right;">250</td><td style="text-align: right;">200</td><td style="text-align: right;">100</td><td style="text-align: center;">_____</td></tr><tr><td></td><td>Design</td><td style="text-align: right;">200</td><td style="text-align: right;">100</td><td style="text-align: right;">100</td><td style="text-align: right;">50</td><td style="text-align: right;">130</td><td style="text-align: right;">65</td><td style="text-align: center;">_____</td></tr><tr><td></td><td>Plant</td><td style="text-align: right;">200</td><td style="text-align: right;">100</td><td style="text-align: right;">300</td><td style="text-align: right;">150</td><td style="text-align: right;">160</td><td style="text-align: right;">80</td><td style="text-align: center;">_____</td></tr><tr><td></td><td>Reissue</td><td style="text-align: right;">300</td><td style="text-align: right;">150</td><td style="text-align: right;">500</td><td style="text-align: right;">250</td><td style="text-align: right;">600</td><td style="text-align: right;">300</td><td style="text-align: center;">_____</td></tr><tr><td></td><td>Provisional</td><td style="text-align: right;">200</td><td style="text-align: right;">100</td><td style="text-align: right;">0</td><td style="text-align: right;">0</td><td style="text-align: right;">0</td><td style="text-align: right;">0</td><td style="text-align: center;">_____</td></tr></table> <table border="0" style="width:100%;"><tr><td rowspan="4" style="vertical-align: top;">2. EXCESS CLAIM FEES</td><td style="text-align: left;">Fee Description</td><td style="text-align: right;">Fee (\$)</td><td style="text-align: right;">Small Entity Fee (\$)</td></tr><tr><td>Each claim over 20 (including Reissues)</td><td style="text-align: right;">50</td><td style="text-align: right;">25</td></tr><tr><td>Each independent claim over 3 (including Reissues)</td><td style="text-align: right;">200</td><td style="text-align: right;">100</td></tr><tr><td>Multiple dependent claims</td><td style="text-align: right;">360</td><td style="text-align: right;">180</td></tr></table> <table border="0" style="width:100%;"><tr><td style="width:30%;">Total Claims</td><td style="width:10%;">-20 or HP =</td><td style="width:10%;">Extra Claims</td><td style="width:10%;">x</td><td style="width:10%;">Fee (\$)</td><td style="width:10%;">=</td><td style="width:10%;">Fee Paid (\$)</td><td style="width:20%;"></td></tr><tr><td>_____</td><td></td><td>_____</td><td></td><td>_____</td><td></td><td>_____</td><td></td></tr></table> <table border="0" style="width:100%;"><tr><td style="width:30%;">Indep. 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See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).</td></tr><tr><td style="text-align: left;">Total Sheets</td><td style="text-align: right;">-100 =</td><td style="text-align: left;">Extra Sheets</td><td style="text-align: right;">/ 50 =</td><td style="text-align: left;">No. of each additional 50 or fraction thereof</td><td style="text-align: right;">Fee (\$)</td><td style="text-align: right;">Fee Paid (\$)</td></tr><tr><td></td><td>_____</td><td></td><td>_____</td><td></td><td>_____ (round up to a whole number) x _____</td><td></td><td>_____</td></tr></table> <table border="0" style="width:100%;"><tr><td style="width:80%;">4. OTHER FEE(S)</td><td style="text-align: right;">Fees Paid (\$)</td></tr><tr><td>Official Fee for Late Submission of Power of Attorney</td><td style="text-align: right;">\$65</td></tr></table>		1. BASIC FILING, SEARCH, AND EXAMINATION FEES	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)	Application Type	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)		Utility	300	150	500	250	200	100	_____		Design	200	100	100	50	130	65	_____		Plant	200	100	300	150	160	80	_____		Reissue	300	150	500	250	600	300	_____		Provisional	200	100	0	0	0	0	_____	2. EXCESS CLAIM FEES	Fee Description	Fee (\$)	Small Entity Fee (\$)	Each claim over 20 (including Reissues)	50	25	Each independent claim over 3 (including Reissues)	200	100	Multiple dependent claims	360	180	Total Claims	-20 or HP =	Extra Claims	x	Fee (\$)	=	Fee Paid (\$)		_____		_____		_____		_____		Indep. Claims	-3 or HP +	Extra Claims	x	Fee (\$)	=	Fee Paid (\$)		_____		_____		_____		_____		HP = highest number of independent claims paid for, if greater than 3.								3. 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Official Fee for Late Submission of Power of Attorney	\$65																																																																																																																																											
SUBMITTED BY																																																																																																																																												
Signature	 Michael J. Bujold		Telephone (603) 226-7490																																																																																																																																									
Name (Print/Type)	Registration No. (Atty/Agent) 32,018	Date: March 22, 2007																																																																																																																																										



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Jean-Claude HEITZLER, Christian MULLER and  
Serial no. : Jean-Louis DUPIN  
Filed : 10/583,912  
For : with an effective filing date of December 22, 2004  
Group Art Unit : HEAT EXCHANGER  
Examiner :  
Docket : NITROF P66AUS

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

In response to the Notice of Missing Requirements under 35 U.S.C. 371 mailed March 1, 2007, as requested a copy of this Notice is being returned to the United States Patent Office along with a signed Declaration and Power of Attorney form. Also attached, please find our firm's check in the amount of \$65 which covers the surcharge for late submission of the Declaration, on the small entity basis.

If anything further is required before a filing receipt can be issued for this application, please immediately contact the undersigned attorney.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

03/30/2007 MKAYPAGH 00000082 10583912

01 FC:2617

65.00 OP

Respectfully submitted,

  
Michael J. Bujold, Reg. No. 32,018

**Customer No. 020210**

Davis Bujold & Daniels, P.L.L.C.

112 Pleasant Street

Concord, NH 03301-2931

Telephone 603-226-7490

Facsimile 603-226-7499

E-mail: [patent@davisandbujold.com](mailto:patent@davisandbujold.com)



UNITED STATES PATENT AND TRADEMARK OFFICE

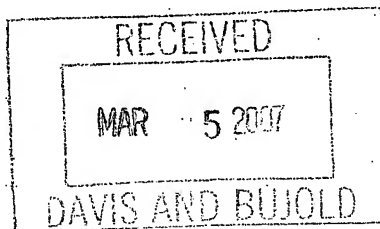
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/583,912	FIRST NAMED APPLICANT Jean-Claude Heitzler	ATTY. DOCKET NO. NITROF P66AUS
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INTERNATIONAL APPLICATION NO. PCT/FR04/03332
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I.A. FILING DATE 12/22/2004	PRIORITY DATE 12/23/2003
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20210  
DAVIS & BUJOLD, P.L.L.C.  
112 PLEASANT STREET  
CONCORD, NH 03301



NAY  
Z

CONFIRMATION NO. 5079  
371 FORMALITIES LETTER



\*OC000000022690988\*

Date Mailed: 03/01/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/20/2006
- English Translation of the IA filed on 06/20/2006
- Copy of the International Search Report filed on 06/20/2006
- Preliminary Amendments filed on 06/20/2006
- Information Disclosure Statements filed on 06/20/2006
- Oath or Declaration filed on 06/20/2006
- Request for Immediate Examination filed on 06/20/2006
- U.S. Basic National Fees filed on 06/20/2006
- Substitute Specification filed on 06/20/2006
- Assignment filed on 09/19/2006
- Priority Documents filed on 06/20/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,

must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/583,912	PCT/FR04/03332	NITROF P66AUS